

Prior law, relative to mutual aid between certain law enforcement agencies, provided that in the event of an emergency or a special event and upon the request of another police department or sheriff's office, by the chief of police, the sheriff, or their designees of that department on duty at the time of the emergency or special event, a political subdivision may furnish police manpower and equipment if the chief of police, the sheriff, or their designees on duty, of the police department or sheriff's office receiving the request for aid is of the opinion that such police manpower and equipment are available.

New law retains prior law and adds city marshals and city constables to law enforcement entities that may provide requested police manpower and equipment.

Prior law provided that if the responding agency agreed to provide mutual aid, the personnel of the responding agency shall report to and work under the direction and supervision of the senior officer of the requesting agency on duty at the time that the request for aid is made. Provided that during the emergency or special event the personnel of the responding agency have the same law enforcement authority as the personnel of the requesting agency. Provided that police manpower and equipment may be recalled at the sole discretion of the highest ranking officer on duty of the police department furnishing police manpower and equipment. Provided that during the emergency, the responding agency shall be considered the agent of the requesting agency.

Defined "emergency" as an actual or potential condition that poses an immediate threat to life or property and exceeds the capability of the requesting agency to counteract successfully.

Defined "special event" as an actual or potential situation that poses or may pose a threat to life or property because of the number of people involved and exceeds the capability of the requesting agency to counteract successfully.

Provided that in situations where mutual aid is utilized, radio communications shall be established, if possible, through the radio systems patch, or one of the officers shall maintain personal eye to eye contact with an officer of the other agency and pass information between agencies.

Provided that the provision of mutual aid shall not give rise to liability or responsibility for failure to respond to a request for assistance.

Provided that nothing contained in prior law shall be construed to limit the responding agency's authority to apply for, administer, and expend any grants, gifts, or payments in aid of homeland security, disaster prevention, preparedness, response, or recovery.

New law retains prior law.

Effective August 1, 2012.

(Amends. R.S. 33:2337(A)(1) and (2))